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September 30, 2024

SO ORDERED

VIA ECF

Honorable George B. Daniels, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

OCT 01 2024

The status conference schedule for
October 2, 2024 is adjourned to
January 7, 2025 at 10:00 a.m.

George B. Daniels
HON. GEORGE B. DANIELS

Re: Kroustallis, et al. v. City of New York, et al.
16 Civ. 8421 (GBD)
Smyth, et al. v. City of New York, et al.
17 Civ. 492 (GBD)
Henry, et al. v. City of New York, et al.
16 Civ. 9971 (GBD)

Dear Judge Daniels:

This firm is counsel to Plaintiffs in the above referenced related actions. I write, on consent of all parties, to request an adjournment of the scheduled October 2, 2024 conference.

As an initial matter, Counsel for the City, Sabrina Smith, Esq., has a conflict on October 2 with a different, unrelated case and will be unable to attend the scheduled in-person conference.

Counsel for the City and the Department of Education has represented that the Department of Education and the City's accounting expert have been working diligently to provide the outstanding data the Plaintiffs need to properly calculate damages in the Henry matter. Counsel will be meeting with the DOE and the City's accounting expert later this week to further clarify the outstanding issues required for the accounting expert to perform a damage assessment, and is hopeful that the assessment can be provided to Plaintiffs' counsel within two weeks. In the event this Court is willing to grant a brief adjournment so that the City can have time to produce the data, Plaintiffs can have time to review the City's data and communicate any discrepancies, the parties are confident that a settlement should be reached. Additionally, the parties anticipate being able to finalize a settlement agreement in the Smyth matter shortly, well before the finalization of agreement on the numbers in Henry is reached.

Accordingly, the parties respectfully ask that the Court adjourn the October 2, 2024 conference for 45 days so that the parties can fully exchange information in the Henry matter and finalize a settlement in the Smyth matter.



Respectfully submitted,

/s/
James Emmet Murphy

cc: Sabrina Smith, Esq. (via ECF)